

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 95-7366

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ROY DAVID PILKENTON,

Plaintiff - Appellant,

versus

DAVID K. SMITH, Warden; DOCTOR ROSTRAFENSKI,  
Psychologist; LOUISE DIXON, Medical Department  
Supervisor; ELIZABETH WAGNER, LPN; AMY WOOTEN,  
LPN,

Defendants - Appellees.

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Appeal from the United States District Court for the Western Dis-  
trict of Virginia, at Roanoke. James C. Turk, District Judge.  
(CA-94-116-R)

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Submitted: December 14, 1995                      Decided: January 17, 1996

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Before ERVIN, Chief Judge, and WIDENER and WILKINS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Roy David Pilkenton, Appellant Pro Se. Mark Ralph Davis, OFFICE  
OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia; Leigh  
Thompson Hanes, Peter Duane Vieth, WOOTEN & HART, P.C., Roanoke,  
Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Appellant appeals from the district court's order granting judgment as a matter of law for the Defendants after a bench trial on Appellant's 42 U.S.C. § 1983 (1988) claim that they were deliberately indifferent to his serious medical needs. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Pilkenton v. Smith, No. CA-94-116-R (W.D. Va. Aug. 22, 1995). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED